

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DEREK MILLER,

Defendant.

**4:19CR3125**

**ORDER**

After conferring with counsel and the defendant, (Filing No. 58, audio file),

IT IS ORDERED:

1) The trial of this case is set to commence before the Honorable John M. Gerrard, Chief United States District Judge, in Courtroom 1, United States Courthouse, Lincoln, Nebraska, at 9:00 a.m. on May 17, 2021, or as soon thereafter as the case may be called, for a duration of five (5) trial days. Jury selection will be held at commencement of trial.

2) A Rule 17.1 conference will be held before the undersigned magistrate judge at 2:30 p.m. on May 4, 2021 in Courtroom 2, United States Courthouse and Federal Building, 100 Centennial Mall North, Lincoln, Nebraska. At the time of this conference, a change of plea hearing will be held instead of a Rule 17.1 conference if defendant decides to enter a plea of guilty rather than go to trial. Defendant, defense counsel, and counsel for the government shall be present at the conference.

3) The court finds that the time between today's date and May 17, 2021 is excluded under the Speedy Trial Act because although counsel have been diligent, additional time is needed to adequately gather and review evidence and failing to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

April 13, 2021.

BY THE COURT:

s/ Cheryl R. Zwart  
United States Magistrate Judge